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From: Maier, Brent
Sent: Wed 5/14/2014 5:41:01 PM
Subject: U.S. EPA HQ Press Release: EPA Requires Global Titanium Manufacturer to Investigate and
Clean Up PCB Contamination in Nevada

Dear Colleagues:

The following press release is being issued today by the EPA Region IX press office. If you have questions or need any additional information, please give me a call.

Regards,

Brent Maier
Congressional Liaison
Telephone: 415.947.4256

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EPA Requires Global Titanium Manufacturer to Investigate and Clean Up PCB Contamination in Nevada

Titanium Metals Corporation to pay record \$13.75 million civil penalty for TSCA violations at single facility

SAN FRANCISCO - Titanium Metals Corporation (TIMET), one of the world's largest producers of titanium parts for jet engines, has agreed to pay a record \$13.75 million civil penalty and perform an extensive investigation and cleanup of potential contamination stemming primarily from the unauthorized manufacture and disposal of PCBs (polychlorinated biphenyls) at its manufacturing facility in Henderson, Nev., the U.S. Environmental Protection Agency (EPA) and Department of Justice announced today.

The penalty is the largest ever imposed for violations of the Toxic Substances Control Act (TSCA) at a single facility. TIMET will pay an additional \$250,000 for violations related to illegal disposal of hazardous process wastewater, in violation of the Resource Conservation and Recovery Act (RCRA).

"EPA expects the settlement to result in the removal of 84,000 pounds of PCB-contaminated waste from the environment and prevent the improper disposal of 56 million pounds of hazardous waste each year," said Jared Blumenfeld, EPA's Regional Administrator for the Pacific Southwest.

"This settlement holds TIMET fully accountable for the period of its unauthorized manufacture and handling of harmful PCBs at the Henderson facility," said Robert G. Dreher, Acting Assistant Attorney General for the Environment and Natural Resources Division. "It will also result in substantial environmental cleanup and protection for the benefit of residents of the area, now and in the future."

In addition to paying the penalty and performing the investigation and cleanup, the settlement requires TIMET to electronically submit monitoring data biannually to EPA for three years showing that it is appropriately managing any PCBs it generates. TIMET has also agreed to allow the Nevada Division of Environmental Protection (NDEP) to make public TIMET's EPA-

approved work plans and completed work reports through a dedicated website.

The company has already spent approximately \$6 million on investigation, site cleanup, and compliance measures to address the potential contamination. This work has included extensive sampling; draining and relining of a surface impoundment; analyzing the extent of PCB contamination in its solid waste landfill; removing PCB waste from that landfill; and decontaminating processing equipment. In addition, TIMET estimates that it will spend at least another million dollars to complete the work required by the settlement.

TIMET processes titanium from rutile ore at its 108-acre manufacturing facility at the Black Mountain Industrial (BMI) Complex in Henderson. This process generates hazardous waste and PCBs. In the complaint, the government alleged that EPA inspections conducted in 2005, 2006, and 2008 revealed that TIMET had been unlawfully manufacturing PCBs as a by-product of its titanium manufacturing process, without an exclusion from TSCA's ban. The 2008 EPA inspection also revealed that the company had disposed of PCB-contaminated waste in a solid waste landfill and a trench at the plant. The complaint further alleges that, on several occasions during 2005 and 2007, the company had unlawfully disposed of acidic, corrosive hazardous process wastewater into an unpermitted surface impoundment at the facility, in violation of RCRA.

Since 2007, the company has been working with EPA to bring the facility into compliance. TIMET has taken steps to reduce significantly the amount of PCBs it generates, manage appropriately the PCBs it does generate, and TIMET already has corrected the other regulatory violations cited in the complaint. TIMET is now in the process of documenting that it qualifies for an exclusion from TSCA's ban on the manufacture of PCBs. As a part of that process, TIMET will provide required documentation to certify to EPA that it is in compliance with TSCA requirements governing the manufacture and disposal of PCBs. TIMET was purchased by Precision Castparts Corporation in 2012. Both companies have worked with EPA to achieve compliance and to clean up the operations. The EPA and NDEP will continue to oversee multiple cleanup efforts at the facility and in the BMI Complex.

PCBs are human-made organic chemicals that were widely used in paints, construction materials, plastics, and electrical equipment prior to 1978. PCBs, which are probable carcinogens, have been banned in the United States for the last 30 years, except for specific uses authorized by regulations. When released into the environment, PCBs can persist for decades because they do not break down through natural processes. Exposure to PCBs has been demonstrated to cause cancer, as well as a variety of other adverse health effects on the immune system, reproductive system, nervous system, and endocrine system.

This settlement is part of EPA's nationwide enforcement initiative to reduce pollution from

mineral processing operations. Because mining and mineral processing facilities have the potential to generate large volumes of toxic and hazardous waste, the Agency's goal is to reduce the risk to human health and the environment by ensuring wastes from these facilities are properly managed.

TIMET, headquartered near Philadelphia, has been supplying nearly one-fifth of the world's titanium demand since 1950. The company's Henderson plant, which has been in operation since 1950, is one of the largest industrial facilities in the state. TIMET is a wholly-owned subsidiary of Precision Castparts Corporation, a worldwide manufacturer of complex metal components and products based in Portland, Oregon.

The consent decree, lodged in the U.S. District Court for the District of Nevada, is subject to a 30-day public comment period and approval by the federal court.

For more information on the settlement:

<http://www2.epa.gov/enforcement/timet-settlement>

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